

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JAMES SHIVE,

Plaintiff,

v.

CV 15-406 KK/WPL

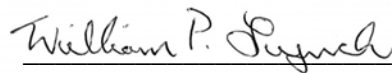
AMAZON.COM INC.; EBAY, INC.;  
JOHN LAVECCHIA; J&C BASEBALL  
CLUBHOUSE, INC.; SEARS HOLDING  
CORPORATION; UNBEATABLE  
SALE.COM INC.; and WAL-MART STORES, INC.;

Defendants.

**ORDER DISMISSING DEFENDANTS J&C BASEBALL CLUBHOUSE, INC., JOHN  
LAVECCHIA, AND EBAY, INC., WITHOUT PREJUDICE**

On September 28, 2015, I entered an Order to Show Cause (Doc. 25), requiring Plaintiff to effect service or provide the Court with a written explanation why service has not been effected upon Defendants J&C Baseball Clubhouse, Inc., John LaVecchia, and eBay, Inc., no later than October 28, 2015, or these defendants would be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m). Plaintiff failed to effect service upon these defendants or provide the Court with a written explanation why service has not been effected. Accordingly, Defendants J&C Baseball Clubhouse, Inc., John LaVecchia, and eBay, Inc., are dismissed without prejudice.

IT IS SO ORDERED.

  
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William P. Lynch  
United States Magistrate Judge